

The following Listing of the Claims will replace all prior versions and all prior listings of the claims in the present application:

Listing of The Claims:

1. (Original) A tissue capturing element comprising:  
an internal tissue contacting portion,  
an external tissue portion, and  
a tissue contacting anchor for maintaining the element in position relative to the tissue.
2. (Original) A tissue capturing element as defined in claim 1 further comprising a first configuration and a second configuration.
3. (Original) A tissue capturing element as defined in claim 2 wherein the interior tissue portion is configured to undergo a shape change that distinguishes the second configuration from the first configuration.
4. (Original) A tissue capturing element as defined in claim 2 wherein the exterior tissue portion is configured to undergo a shape change that distinguishes the second configuration from the first configuration.
5. (Original) A tissue capturing element as defined in claim 2 wherein the tissue anchor is configured to undergo a shape change that distinguishes a second configuration from the first configuration.
6. (Original) A method of capturing tissue in a distorted form comprising:  
providing a tissue capturing element having an exterior tissue portion, an interior tissue portion and a tissue anchor portion;

inserting the tissue capturing element so that the interior tissue portion is contained within the subject tissue;

deforming the interior tissue portion of the device to engage the tissue.

7. (Original) A method of capturing tissue in a distorted form comprising:

providing a tissue capturing element having an exterior tissue portion, an interior tissue portion and a tissue anchor portion;

inserting the tissue capturing element so that the interior tissue portion is contained within the subject tissue;

deforming the exterior tissue portion to engage the tissue.

8. (Original) A method of capturing tissue in a distorted form comprising:

providing a tissue capturing element having an exterior tissue portion, an interior tissue portion and a tissue anchor portion;

inserting the tissue capturing element so that the interior tissue portion is contained within the subject tissue;

deforming the tissue anchor portion in order to engage the tissue.

9. (Original) A tissue capturing element comprising:

at least one tissue engaging portion;

at least one distortion portion for becoming distorted to hold tissue in a distorted shape; and

at least one securement mechanism for retaining the element in its tissue distorting form.